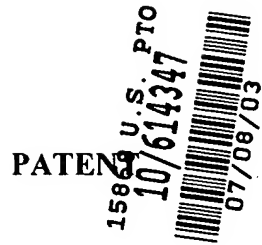


Attorney Docket No: VYAN001/01US



Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

UTILITY PATENT APPLICATION TRANSMITTAL

Transmitted herewith for filing is a U.S. Non-Provisional Utility Patent Application
entitled: **SYSTEM AND METHOD FOR BACKING UP A COMPUTER SYSTEM**

naming as inventors: Greg BECKER; Robert CONDON; David KNIGHT; David
MEDDERS; and Michael ROWAN

and including:

- ☒ (39) pages of description (before the claims);
- ☒ (5) pages of claims ((25) total claims; (4) independent claims);
- ☒ One (1) Sheet of Abstract;
- ☒ (5) sheets of drawing(s) including Figures 1-7.

1. Also enclosed are:

- ☐ executed Declaration
- ☐ Application Data Sheet
- ☐ Assignment and Assignment Recordation Cover Sheet
- ☐ Power to Prosecute
- ☐ Assertion of Entitlement to Small Entity Status
- ☐ Information Disclosure Statement
- ☐ Preliminary Amendment
- ☐ CD-ROM or CD-R in duplicate, large table or Computer Program
(Appendix)
- ☐ Nucleotide and/or Amino Acid Sequence Submission
 - ☐ Computer Readable Form (CRF) on 3 1/2" floppy disk
 - ☐ Specification Sequence Listing on:
 - ☐ CD-ROM or CD-R (2 copies); or
 - ☐ paper
 - ☐ The content of the copy in computer readable form is identical to
the content of the paper, CD-ROM, or CD-R copy of the Sequence
Listing.
- ☐ Nonpublication Request and Certification
- ☐ Check No. ___ in the amount of \$___ for the total fee as calculated below
- ☒ Return receipt postcard
- ☐ Other:

15915 U.S. PTO
07/08/03

2. ☐ Please amend the specification by inserting before the first heading the following paragraph:

This application claims priority under 35 U.S.C. §§119 and/or 365 to ___ filed in ___ on ___, the entire content of which is hereby incorporated by reference.

A certified copy of the priority application ☐ is enclosed ☐ will follow.

3. ☒ Please amend the specification by inserting before the first heading the following paragraph:

This application claims priority under 35 U.S.C. §119(e) to U.S. Provisional Application No. 60/395,611, filed July 15, 2002, the entire content of which is hereby incorporated by reference.

4. ☐ Please amend the specification by inserting before the first heading the following paragraph:

This application is a ___ of and claims priority under 35 U.S.C. §120 of U.S. Patent Application No. ___, filed ___, the entire contents of which are hereby incorporated by reference.

5. The filing fee has been calculated as follows ☐ and in accordance with the enclosed preliminary amendment:

	NO. OF CLAIMS		EXTRA CLAIMS	RATE	FEE
Basic Application Fee					\$750.00
Total Claims	25	- 20 =	5	x \$18.00	90.00
Independent Claims	4	- 3 =	1	x \$84.00	84.00
If multiple dependent claims are presented, add \$280.00					
Total Application Fee					924.00
If an Assertion of Entitlement to Small Entity Status is enclosed, subtract 50% of Total Application Fee					
Other fees: (specify)					
TOTAL FEE DUE					924.00

- ☒ This application is being filed without a filing fee. Issuance of a Notice to File Missing Parts of Application is respectfully requested.

- ☐ A check for the total fee is attached.
- ☐ Please charge \$___ to Deposit Account No. 50-1283 for the total fee. This paper is being submitted in duplicate.
- ☒ The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 50-1283.
6. Please direct all correspondence concerning this application to:

Cooley Godward LLP
ATTN: Patent Group
One Freedom Square
Reston Town Center
11951 Freedom Drive
Reston, VA 20190-5656
Tel: (703) 456-8000
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CUSTOMER NUMBER: **22903**

Respectfully submitted,
COOLEY GODWARD LLP

Dated:

July 8, 2003

By:

Frank Pietrantonio

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